



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.12832 of 2020

A.Kanagaraj

... Petitioner

Vs

1.The Superintendent of Police
Trichy District,
Trichy.

2.The Inspector of Police,
Samayapuram Police Station,
Samayapuram,
Trihcy District.

3.A.Bharathi

4.Rajalakshmi

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent police to give necessary police protection to the life and limb of the petitioner and his family members by considering the complaint dated 26.10.2020.

For Petitioner : Mr.N.Sudhagar Nagaraj
For R1 and R2 : Mr.V.Neelakandan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the second respondent police to give necessary police protection to the life and limb of the petitioner and his family members by considering the complaint dated 26.10.2020.

2. The learned counsel for the petitioner would submit that the petitioner is an agriculturist. On 10.12.2009, the petitioner has given a sum of Rs.1,50,000/- to one P.Ayyavu, who had mortgaged the property in favour of the petitioner and the same was not redeemed as agreed. Subsequently, the said Ayyavu agreed to sell his property to the petitioner and both of them entered into an unregistered sale agreement dated 26.12.2011 for sale consideration of Rs.2,50,000/-. In pursuance of the sale agreement, the original documents of Adangal, Chitta and property tax receipts relating to the property were handed over to the petitioner. Without executing sale deed, the said Ayyavu died on 13.11.2012. The petitioner approached the legal heirs of Ayyavu for executing a sale deed. Since the legal heirs of Ayyavu are postponing the same, the



petitioner filed O.S.No.592 of 2018 before the concerned Court. While the Suit is pending, the legal heirs are agreed to sell the property to one A.Bharathi and his wife Rajalakshmi. The petitioner is threatened by the above said A.Bharathi and Rajalakshmi. Hence, the petitioner made a complaint on 26.10.2020 to the second respondent, for giving police protection. But, so far no action has been taken by the respondent police. Hence, the petitioner is before this Court.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 & 2, on instructions, would submit that the complaint of the petitioner, dated 26.10.2020, has been received by the respondent police and based on which, CSR No.561 of 2020 dated 10.11.2020 has been issued and the enquiry is pending.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

5.Considering the submission made on either side, the respondents 1 and 2 are directed to consider the representation of the petitioner, dated 26.10.2020 and give police protection to the petitioner, if necessary. If it is found that police protection is not necessary, the same shall be communicated to the petitioner so that he can work out his rights in the manner known to law.

6.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (co)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Vrn

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

1.The Superintendent of Police
Trichy District,
Trichy.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Inspector of Police,
Samayapuram Police Station,
Samayapuram,
Tiruchy District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.N. SUDHAGAR NAGARAJ, Advocate (SR-21859[F] dated
11/11/2020)

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VB (23.11.2020) 3P 5C